

Congress of the United States
Washington, DC 20515

760

September 18, 2017

The Honorable Ajit Pai, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20536

Dear Chairman Pai,

We're writing in response to recent troubling press reports that a radio network funded by the Russian government may have used U.S. airwaves to influence the 2016 presidential election. We ask that you investigate these troubling reports and apply all applicable laws and regulations to enforce the public interest standard for licensed stations that broadcast this network.

An article published by the *New York Times Magazine* (9/13/17) titled "RT, Sputnik and Russia's New Theory of War" suggests that Sputnik, a radio network funded by the Russian government, was used as part of the Kremlin's effort to influence the 2016 presidential election. In Washington, D.C., listeners can tune their radios to 105.5 FM to hear Sputnik and the Russian government's effort to spread misinformation to influence U.S. policy and undermine our elections. This means the Kremlin's propaganda is being broadcast over a license granted by the FCC and the Russian government may be using our country's own airwaves to undermine our democracy.

The Communications Act of 1934 requires the FCC to take action to ensure broadcast licenses act in the public interest, convenience, and necessity. If Sputnik is in fact being used as a tool by the Russian government to undermine the United States and our free and fair electoral process, the station airing Sputnik is directly violating the public interest standard of the Communications Act.

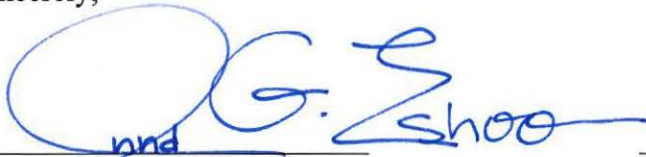
We've written to you previously regarding issues arising from the over-the-air television broadcast of Russia Today. Sputnik's alleged role in the Russian campaign to influence the 2016 election raises the same concerns and violates the public interest by giving a foreign government a microphone to spread propaganda. The Commission must look into the allegations that Sputnik is being used by the Russian government to disseminate misinformation and influence our elections and be prepared to take action. We therefore request that you provide answers to the following questions:

- (1) Is the FCC currently investigating whether broadcast licensees are contravening the public interest by retransmitting radio programming funding by the Russian government in an effort to influence U.S. politics and elections?
- (2) If not, will the FCC commit to undertaking such an investigation?

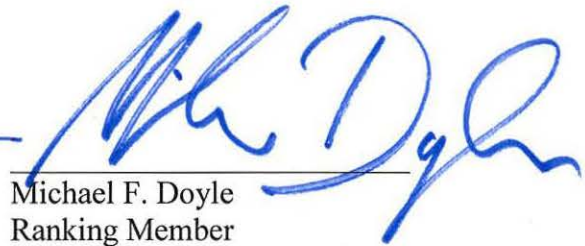
- (3) If the allegations in the above described reports are true, will the FCC commit to enforcing the public interest standard on stations that broadcast Sputnik, in accordance with applicable law and regulations?
- (4) If the FCC were to take action against a station being used to undermine our democracy, what specific steps could the FCC take?

We thank you for your attention to this critically important issue and ask for your timely response.

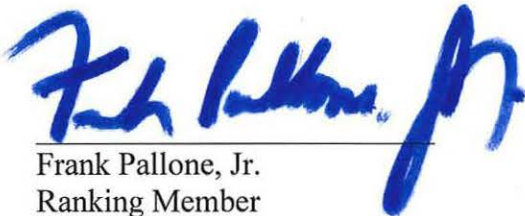
Sincerely,



Anna G. Eshoo
Member
Subcommittee on Communications &
Technology



Michael F. Doyle
Ranking Member
Subcommittee on Communications &
Technology



Frank Pallone, Jr.
Ranking Member
Committee on Energy and Commerce



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 23, 2017

The Honorable Mike Doyle
Ranking Member
Subcommittee on Communications and Technology
Committee on Energy and Commerce
U.S. House of Representatives
2322A Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Doyle:

Thank you for your letter concerning the radio programming broadcast on FM frequency 105.5 FM in the Washington, D.C. area, and for the opportunity to respond to your inquiry regarding potential foreign influence over the station's programming.

The station you reference is W288BS, an FM translator licensed to the community of Reston, Virginia. Your letter indicates that programming broadcast by that station is funded by the Russian government. As you know, Section 310(b)(4) of the Communications Act establishes a 25 percent benchmark for investment by foreign individuals, governments, and corporations in U.S.-organized entities that directly or indirectly control a U.S. broadcast radio station license. The *New York Times Magazine* article cited in your letter does not provide evidence, nor has the Commission otherwise been presented with any evidence, that the American licensee of W288BS is in violation of this statutory provision.

FM translator stations such as W288BS are authorized by the Commission's rules only to rebroadcast the transmissions of AM or FM broadcast stations or another FM translator. FM translator stations are required to notify the Commission of the call sign of the station being rebroadcast, which W288BS has done. Subject to this rebroadcast restriction, as is the situation with other broadcast licensees, the First Amendment and the Communications Act generally bar the Commission from interfering with a broadcast licensee's choice of programming, even if that programming may be objectionable to many listeners.

Answers to each of the specific questions raised in your letter are set forth below.

- (1) *Is the FCC currently investigating whether broadcast licensees are contravening the public interest by retransmitting radio programming funding (sic) by the Russian government in an effort to influence U.S. politics (sic) and elections?*

Response: No.

- (2) *If not, will the FCC commit to undertaking such an investigation?*

Response: If credible allegations of specific violations of the Communications Act or Commission rules are received, the Commission may initiate an investigation, as appropriate.

- (3) *If the allegations in the above described reports are true, will the FCC commit to enforcing the public interest standard on stations that broadcast Sputnik, in accordance with applicable law and regulations?*

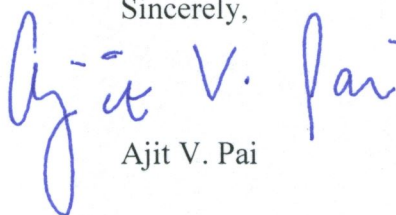
Response: As indicated above, the First Amendment and the Communications Act generally bar the Commission from interfering with a broadcast licensee's choice of programming. However, if the Commission receives credible allegations of specific violations of the Communications Act or Commission rules, we may initiate an investigation, if appropriate.

- (4) *If the FCC were to take action against a station being used to undermine our democracy, what specific steps could the FCC take?*

Response: Any sanctions that the Commission may impose are dependent on the facts of the particular matter and the extent of the Commission's statutory authority. The Commission's authority with respect to broadcast licensees generally includes the ability to issue monetary forfeitures and revoke broadcast authorizations.

I hope this information addresses your inquiry. Let me know if I can be of any further assistance.

Sincerely,



Ajit V. Pai



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

October 23, 2017

The Honorable Anna G. Eshoo
U.S. House of Representatives
241 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Eshoo:

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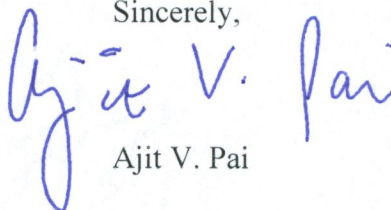
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Ajit V. Pai



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
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October 23, 2017

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
2322A Rayburn House Office Building
Washington, D.C. 20515

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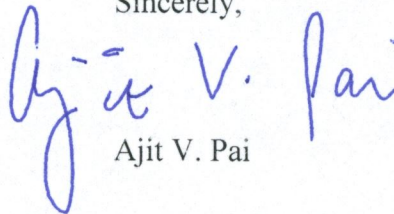
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Sincerely,

A handwritten signature in blue ink that reads "Ajit V. Pai". The signature is stylized, with the first name "Ajit" and last name "Pai" being more prominent than the middle initial "V".

Ajit V. Pai